

HOUSE BILL 1565

By Hale

AN ACT to amend Chapter 486 of the Private Acts of 1941; as amended and rewritten by Chapter 26 of the Private Acts of 2013; and any other acts amendatory thereto, relative to the Charter of the City of Smithville.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 486 of the Private Acts of 1941, as amended and rewritten by Chapter 26 of the Private Acts of 2013, and any other acts amendatory thereto, is amended in Article II, Section 2.06 by deleting subsection (4) and substituting the following:

(4) Any person convicted of malfeasance or misfeasance in office, a felony, or a crime involving moral turpitude is prohibited from holding office with the city for a period of ten (10) years after the conviction is final.

SECTION 2. Chapter 486 of the Private Acts of 1941, as amended and rewritten by Chapter 26 of the Private Acts of 2013, and any other acts amendatory thereto, is amended in Article III, Section 3.01 by deleting subsection (2) and substituting the following:

(2) All officers and department heads of the city, except as otherwise specifically provided by ordinance, shall be appointed and removed by the Mayor but only with the approval of a simple majority vote of the Council present voting upon the appointment or removal, and all employees and department heads shall be under the direction and control of the Mayor.

SECTION 3. Chapter 486 of the Private Acts of 1941, as amended and rewritten by Chapter 26 of the Private Acts of 2013, and any other acts amendatory thereto, is amended in Article III, Section 3.08 by deleting the section and substituting the following:

SECTION 3.08. Personnel Actions. The appointment and promotion of employees of the city shall be on a basis of merit, considering technical knowledge and education required to perform satisfactorily the work, experience in the particular or

similar line of work, and administrative or supervisory qualifications. The Board may make appointments, promotions, transfers, demotions, suspensions, and removal of officers and department heads not inconsistent with personnel rules and regulations adopted pursuant to this Charter. The Mayor, or the City Administrator, if established by the Board and designated to do so by the Mayor, may make appointments, promotions, transfers, demotions, suspensions, and removal of all employees not inconsistent with personnel rules and regulations adopted pursuant to this Charter.

SECTION 4. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Smithville. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 5. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 4.